WASHINGTON STATE DEPARTMENT OF
Natural Resources

PETER GOLDMARK
Washington State Commissioner of Public Lands

MEMORANDUM

January 28, 2016

TO: Forest Practices Board

FROM: Marc Engel, Assistant Division Manager, Policy and Services

Subject: Board's Practices & Procedures Rule Making

At your February 10 meeting, I will request your approval to file a CR101 Preproposal Statement of Inquiry to begin rule development to amend chapter 222-08 WAC relating to the Board's process to receive last minute submissions of information from the public on topics before the Board for action.

Board meetings often involve many topics and large volumes of written materials for you to review. At recent meetings, members of the public have inundated board members with hundreds of pages of materials, submitted electronically the day prior to a meeting with the intent to include those materials in the Board's decision making records. These type of documents are highly technical and scientific in nature and cannot be read and digested by board members the evening before the Board takes up the specific action item the next day.

The Board's work is complex and requires time for board members to consult with their staff in preparation for important decisions. DNR staff recommends the Board discourage the practice of parties trying to inundate the Board with materials at the eleventh hour in the hope that it will require the Board to alter its work plan and postpone planned action items, or to "pad" the record for judicial review with materials that board members were never really able to consider.

I look forward to discussing this rule making with you in February.

MDE/paa

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